

John H. Bengé, Jr.
P.O. Box 500
Georgetown, DE 19947
November 2, 2006

Clerk of the Court
United States District Court
844 North King Street
Lockbox 17
Wilmington, De 19801

Re: Bengé v. Kearney, *et al*
C. A. No. 05-0550(GMS)

Dear Sir:

Pursuant to Judge Sleet's order of September 29, 2006, I enclose herewith for filing in the above captioned action petitioner's reply brief and the appendix thereto. These filings are intended to replace the filings stricken by Judge Sleet's order.

Also enclosed with this letter is a motion for judgment under habeas corpus Rule 8(a) and FRCP Rule 56(a).

Thank you for your kind cooperation in docketing these filings.



Respectfully,



Enc.

cc: Thomas E. Brown, Esq., Delaware DAG